



Customer No.: 26308

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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scribner et al.

Attorney Docket No.: 1759.15103-CON

Serial No.: 09/837,350

Examiner: A. Kokabi

Filed: 18 April 2001

Group Art Unit: 3751

Title: Expandable Preformed Structures for Deployment in Interior Body Regions

PETITION FOR AN UNINTENTIONALLY DELAYED BENEFIT CLAIM  
PURSUANT TO 37 C.F.R. §1.78(a)(3)

Office of Petitions  
Box DAC  
Assistant Commissioner for Patents  
Washington, D.C. 20231



26308

PATENT TRADEMARK OFFICE

Dear Sir:

Applicant requests to amend the benefit claim under 35 U.S.C. §120 of the above-noted application, as follows in marked-up form:

This application is a continuation of co-pending application Serial No. 09/088,459, filed June 1, 1998 (now abandoned). This application also claims the benefit of application Serial No. 08/788,786, filed January 23, 1997 (now U.S. Patent No. 6, 235,043), which is a continuation of application Serial No. 08/188,224, filed January 26, 1994 (now abandoned).

The benefit claim, amended as proposed, was previously submitted in Applicant's Amendment A (filed March 4, 2003), filed in response to the Office Action mailed September 4,

2002.

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Applicant states that the entire delay between the date the claim was due under paragraph (a)(2)(ii) of 37 C.F.R. §1.78 and the date the claim was filed was unintentional.

Applicant hereby petitions for acceptance of the unintentionally delayed benefit claim.

The requisite fee under 37 C.F.R. §1.17(t) is submitted herewith.

Respectfully Submitted,

By Patricia A. Limbach  
Patricia A. Limbach  
Registration No. 50,295

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14 November, 2003

Customer No.: 26308

Kypthor/15103-CON/011114 Petition Under 37 C.F.R. 1.78(d)



## CERTIFICATE OF FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, with sufficient postage, on the date indicated below in an envelope addressed as follows: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

By: *Linda S. Wenzel*

Linda S. Wenzel

Dated: 14 November 2003

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